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May 14, 2024

VIA ECF:

Honorable Judge John P. Cronan
United States Courtroom 12D
500 Pearl Street, Courtroom
New York, New York 10007

Re: Danaby Rentals, Inc. v. Mt. Hawley Insurance Company
Case No. 1:24-cv-03481

Dear Judge Cronan:

On May 7, 2024, the Court entered an Order (Doc. 14) instructing Plaintiff to file an Amended Complaint by May 14, 2024, to “properly allege Defendant’s citizenship and, if appropriate, diversity jurisdiction.”

The parties agree the following statements accurately describe Defendant’s citizenship and the basis for diversity jurisdiction in this case:

Plaintiff Danaby Rentals, Inc. (“Danaby”) is a corporation organized under the laws of the State of Texas with its principal place of business in Texas. Accordingly, Danaby is a citizen of the State of Texas for purposes of determining diversity jurisdiction. 28 U.S.C. § 1332(c)(1).

Mt. Hawley Insurance Company (“Mt. Hawley”) is a corporation organized under the laws of the State of Illinois with its principal place of business in Illinois. Accordingly, Mt. Hawley is a citizen of the State of Illinois for purposes of determining diversity jurisdiction. 28 U.S.C. § 1332(c)(1).

This court has subject matter jurisdiction of this lawsuit under 28 U.S.C. § 1332(a). All parties to this civil action are citizens of different states and the amount in controversy exceeds \$75,000.00, exclusive of interests and costs.

Consistent with the Court’s Order (Doc. 14), Plaintiff’s counsel intends to file the Amended Complaint attached as Exhibit 1 containing these statements but does not yet have ECF filing privileges. Plaintiff’s counsel filed her Motion for Admission *Pro Hac Vice* (Doc. 16) on May 9, 2024, and it is still being reviewed by the Court Clerk’s staff.

Accordingly, the parties respectfully ask the Court to retain this case and grant a short extension of the deadline in its Order (Doc. 14) that will give Plaintiff until May 28, 2024, to file the Amended Complaint properly alleging Defendant's citizenship and diversity jurisdiction as stated above.

Respectfully submitted,

/s/ Maria R. Gerguis

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In light of Plaintiff's filing of the Amended Complaint, Dkt. 20, this request is denied as moot. The Clerk of Court is respectfully directed to close Docket Number 19.

SO ORDERED.
Date: May 15, 2024
New York, New York


JOHN P. CRONAN
United States District Judge